

## PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

Mail Stop ISSUE FEE  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 or Fax (703) 746-4000

**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

21874 7590 07/22/2004

EDWARDS &amp; ANGELL, LLP

P.O. BOX 55874  
BOSTON, MA 02205

10/14/2004 BSAYAS12 00000008 09778125

01 FC:2501	685.00 OP
02 FC:1504	300.00 OP
03 FC:8001	30.00 OP

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

## Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (703) 746-4000, on the date indicated below.

Helen Murray Tarbi

(Depositor's name)

*Helen Murray Tarbi*

(Signature)

October 8, 2004

(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09778125	02/06/2001	Edward J. Cesarczyk	49945 (70116)	3199

TITLE OF INVENTION: DIAGNOSTIC TESTING DEVICE AND METHOD OF USE THEREOF

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$665	\$300	\$965	10/22/2004

EXAMINER	ART UNIT	CLASS-SUBCLASS
ALEXANDER, LYLE	1743	436-165000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).	2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.	1 George W. Neuner 2 Edwards & Angell LLP 3 _____
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## 3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

## (A) NAME OF ASSIGNEE

Avitar, Inc.

## (B) RESIDENCE: (CITY and STATE OR COUNTRY)

Canton, MA

Please check the appropriate assignee category or categories (will not be printed on the patent);  individual  corporation or other private group entity  government

## 4a. The following fee(s) are enclosed:

Issue Fee  
 Publication Fee (No small entity discount permitted)  
 Advance Order - # of Copies 10

## 4b. Payment of Fee(s):

A check in the amount of the fee(s) is enclosed.  
 Payment by credit card. Form PTO-2038 is attached.  
 The Director is hereby authorized to charge the required fee(s), or credit any overpayment, to Deposit Account Number 04 1105 (enclose an extra copy of this form).

## 5. Change in Entity Status (from status indicated above)

a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.  
 b. Applicant is not claiming SMALL ENTITY status. See, e.g., 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

(Authorized Signature) *George W. Neuner* (Date) October 8, 2004  
 George W. Neuner, Reg. No. 26,964

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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# FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$ 1,015.00)
**METHOD OF PAYMENT (check all that apply)**
 Check  Credit Card  Money Order  Other  None  
 Deposit Account:

Deposit Account Number **04-1105**  
 Deposit Account Name **Edwards & Angell, LLP**

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity	Small Entity	<u>Fee Description</u>	<u>Fee Paid</u>
Fee Code	Fee (\$)	Fee Code	Fee (\$)
1001	790	2001	395
1002	350	2002	175
1003	550	2003	275
1004	790	2004	395
1005	160	2005	80
<b>SUBTOTAL (1)</b>		(\$ 0.00)	

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	-20** =	<input type="text"/> x <input type="text"/> = <input type="text"/>	<u>Fee from below</u>	<u>Fee Paid</u>
Independent Claims	-3** =	<input type="text"/> x <input type="text"/> = <input type="text"/>		
Multiple Dependent		<input type="text"/> = <input type="text"/>		

<u>Fee Description</u>			
Large Entity	Small Entity	<u>Fee Description</u>	<u>Fee Paid</u>
Fee Code	Fee (\$)	Fee Code	Fee (\$)
1202	18	2202	9
1201	88	2201	44
1203	300	2203	150
1204	88	2204	44
1205	18	2205	9
<b>SUBTOTAL (2)</b>		(\$ 0.00)	

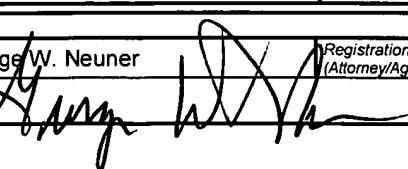
\*\*or number previously paid, if greater; For Reissues, see above

<b>Complete if Known</b>	
Application Number	09/778,125
Filing Date	February 6, 2001
First Named Inventor	Edward J. Cesarczyk
Examiner Name	Alexander, Lyle
Art Unit	1743
Attorney Docket No.	49945(70116)

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity	Small Entity	<u>Fee Description</u>	<u>Fee Paid</u>
Fee Code	Fee (\$)	Fee Code	Fee (\$)
1051	130	2051	65
1052	50	2052	25
1053	130	1053	130
1812	2,520	1812	2,520
1804	920*	1804	920*
1805	1,840*	1805	1,840*
1251	110	2251	55
1252	430	2252	215
1253	980	2253	490
1254	1,530	2254	765
1255	2,080	2255	1,040
1401	340	2401	170
1402	340	2402	170
1403	300	2403	150
1451	1,510	1451	1,510
1452	110	2452	55
1453	1,370	2453	685
1501	1,370	2501	685
1502	490	2502	245
1503	660	2503	330
1460	130	1460	130
1807	50	1807	50
1806	180	1806	180
8021	40	8021	40
1809	790	2809	395
1810	790	2810	395
1801	790	2801	395
1802	900	1802	900
Other fee (specify)	8001; 1504	Printed copy of patent w/o color; Publication fee for early, voluntary, or normal publication	330.00

\*Reduced by Basic Filing Fee Paid **SUBTOTAL (3)** (\$ 1,015.00)

<b>SUBMITTED BY</b>		(Complete if applicable)	
Name (Print/Type)	George W. Neuner	Registration No. (Attorney/Agent)	26,964
Signature		Date	October 8, 2004



OUT 08 2004



Application No. (if known): 09/778,125

Attorney Docket No.: 49945(70116)

## Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. EV 519064580 US in an envelope addressed to:

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on October 8, 2004  
Date

Helen Murray Tarbi  
Signature

Helen Murray Tarbi  
Typed or printed name of person signing Certificate

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Fee Transmittal (1 page)  
Certificate of Express Mailing (1 page)  
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Check in the amount of \$1,015.00